

A True ^s
RELATION

OF THE
Unjust Accusation

Of Certain

French Gentlemen,

(Charged with a Robbery, of which
they were most Innocent)

And the Proceedings upon it, with their
Tryal and Acquittance in the Court of
Kings Bench, in Easter Term last.

Published by

DENZELL LORD HOLLES,

Partly for a further manifestation of their Innocency,
(of which, as he is informed, many do yet doubt)
and partly for his own Vindication, in regard of
some Passages at that Tryal, which seemed very
strongly to reflect upon him.

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gift of
Clarence S. Brigham.



Conceiving my self under some necessity, not onely to make known the Innocency of a couple of young Gentlemen of the French Nation, whom a curiosity of seeing other Countries besides their own had brought into *England*, and who, by a great deal of Art and Malice, had been drawn into danger by a Robbery laid to their charge, of which they were as free as the Child new born; And also to vindicate my self of some blemish, which was endeavoured to be cast upon me at the Tryal of those Gentlemen in the Kings Bench, as if something had been done by me, not fair nor justifiable, in the carriage of that Business, and some harsh usage which I received in Court: These considerations have induced me to make publick the whole Proceeding from the beginning to the end.

But by the way, let me answer one thing which may be objected, *Why I have staid so long to set out this Narrative, it being now almost a twelve month since these transactions were, which gave the occasion for it?* to which I say, That it was still my desire, before I made it publick in Print, to be judicially cleared in my Reputation; and before I did apply my self to any Higher Power either King or Parliament to be so cleared, to do my self first that right, to declare the truth of all Passages, whereby the clearness of my Proceedings might appear, I still being in the same capacity, and upon the same level, as I was, when those indignities were put upon me, and when such a disguise was put up-

on the whole business as the truth could not appear, that was, to give a full and true account of all in an Ordinary Court of Justice, which I would have done then in the Kings Bench, but could not be suffered, and for which I knew I should have an opportunity, when those Gentlemen should bring their Action against the Persons who had so falsely and maliciously accused them, as they have since done in the Court of Common Pleas, and there I did them and my self that right, to lay open the whole matter, with which the Court and Jury were so well satisfied, that they had a Verdict for Four hundred Pounds damages against them ; and after that, I immediately made my Complaint in the House of Lords for what concerned my self, where I have received that Justice, which hath abundantly satisfied me, (my Honour being the only thing dear unto me, which before had been blemished, and was there cleared) and now I come to present it all to the publick view, and shall do it as succinctly as I may, with all candor and sincerity.

These two Gentlemen, One, a youth of about 17 years of age, called *Valentine Simon Chevalier de Hoeville* (that is, Knight of *Hoeville*, according to the French stile, he being destinated (it seems) by his Parents to be a Knight of *Malta*, when they use to give them the Appellation of Knights, even while very young before their going thither to take upon them the Vow and the Habit :) The other, his Name is *Adrian Lamprriere S^r des Mezieres*, young also, but nineteen years old, and of a good Family in *Normandy* as well as the other, both of them Neighbours to my Wife, and to her Estate in those parts. These two young Men, younger Brothers, but with money in their Purses, came hither, not to rob upon the High-Way, but to see Fashions, and have seen One with a Witness not very well to be liked by them: They landed at *Ratcliff*, the second or third of No-

ember ;

vember; and having a recommendation to lodge at Master *Sedgewick's* House, a Barber, in the *Strand*, they came thither, and there they continued, till forced to lie in a Prison against their Wills.

Though they were Neighbours, and their Parents of acquaintance and Friends to my Wife, yet she heard not of them, till they were made to cry to her out of the Goal of *Hartford*; They excused it afterwards that they would not see her, till they had put themselves into Black Clothes, as most wore at that time. They kept in their Lodgings, and scarce ever went out, but to their Dinners and Suppers at an Ordinary (as several Credible Witnesses made it out at their Tryal) from the day of their coming to *London*, until the Thursday sennight after, which was the 11th of *November*. That day, they and three others of their Countreymen (whom they had fallen acquainted with here) agreed to go see a Merchant about *Barnet*, with whom they had some business; Missing of him, they resolved to go see *Hatfield* House. One of their Company onely spake English, whose Name was *Beauvais*, themselves not one word, and the other two as little. For this Journey they hired Horses, in two or three places, from several Persons, the best Horse not worth above three Pounds. These Horses were brought to their Lodgings upon the *Thursday* Morning, their Landlord's Wife passing her word for them. One of the Company had no Boots, a young Youth, whose Father is a rich Merchant in *Paris*, his Name *Boutandon*; He lay in *Long-Acre*, and took Horse there; And it is said, they had much ado to get him upon his Horse, having scarce ever been upon one before, and Boots it is certain he had none at all, nor they say never had any: And not a Pistol among all five. In this Equipage they began their Voyage, how like to be High-Way Men, let any man judge,

especially having no Language, nor no knowledge of the
 Countrey, or of one foot of the way in it, and Horses
 that could scarce go out of a way when they were in it.
 They came to *Hatfield* upon the Market Day, went into
 the Market, saw *Hatfield House*, and coming back to their
 Inn, the Town did rise upon them, and apprehended them
 for Thieves, that had robbed four Butchers, whose names
 were *Robert Simons*, *Robert Bellingham*, *Edward Lawrence*,
 and *Solomon Grace*, upon *Totternol Hill* in *Bedfordshire* the
 Monday before, being the eighth of *November*, between
 three and four of the Clock in the Afternoon. Those
 Butchers among the rest came, and viewed them, and ha-
 ving seen them, One or two of them (as I have been told)
 were very doubtful of accusing them; *Solomon Grace* by
 Name, saying (as one *Murrel* a Chirurgion who did then
 reside in *Hatfield*, and was present, hath assured me) that
 he would not for the World say, they were the men that
 did the Robbery: Onely two of the Butchers said, They
 thought they were them, and going into the Stable, said,
 They thought they knew one of the Horses. They kept
 them there all the Thursday, trying to get the Money
 from them which the Butchers had lost, about 27 pound,
 upon which condition, they said they would let them go,
 and not carry them before a Justice. But they refusing
 it, they then upon the Friday Morning carried them be-
 fore *Sir Francis Butler*: He examined them, and heard the
 Accusation of the four Butchers, without giving them
 their Oath; And upon the bare saying of three of them,
 One, that those men were like those he saw upon the Road,
 the other two, that they did believe them to be those that
 robbed them: He made his Mittimus, and sent them to
 the Goal at *Hartford*, whither they were compelled to walk
 on foot: And when they came thither, were presently
 put into Irons, and laid in a low damp Room, with scarce
 any

any light to it, no Bed, and only Straw to lie upon; and so they lay from Friday the twelfth of *November*, till the Sunday fortnight after, seventeen dayes, more like Dogs then Persons of any Quality: And no body at *London* had known what had become of them, if that *Murrel*, whom I named before, hearing them tell where they lodged in *London*, had not of himself come and given notice at that House, That their Guests were in *Hartford* Goal. The Examination and the Mittimus follow Verbatim.

The Examination of *Solomon Grace*, Drovers; *Robert Simmons*, *Robert Bellingham*, and *Edward Lawrence*, Butchers, all of the Parish of *Edmondton* in the County of *Middlesex*, taken before me, One of the Justices of Peace for the County of *Hartford*, upon the 12th of *November*, 1669.

Solomon Grace saith, That he riding on the Road near *Totternol*, saw five young men afoot, with their Horses in their bands; he suspecting them, made haste from them; and being got at a good distance, stayed to let his Horse drink, but seeing them coming towards him, he galloped away, and heard one of them say, Farewel old man; And looking about, saw them all turn back towards *Totternol Hill*, which was about a mile distance from him; and saith, That the Persons apprehended are very like those he saw upon the Road.

Robert Simmons saith, That on Monday, being the eighth of *November*, 1669. about three or four of the Clock in the Afternoon, upon *Totternol Hill*, in the Parish of *Totternol*, he was robbed, and had 27 pounds taken from him, and believes the Persons now apprehended, are the men which robbed him.

Robert

Robert Bellingham, as to time and place, agreeth with Robert Simmons, and further saith, That he and Robert Simmons, and Edward Lawrence, riding together, espied five men coming towards them, which they judged to be Thieves, and therefore putting Spurs to their Horses, thought to escape them by riding, but two of them overtaking him, one of the two clapt a Pistol to his Breast; they searched him, and finding no Money, they took his Bridle and his Girdle, and the other three pursued Robert Simmons, And he verily believes that the black man, which calls himself Adrian Lamperiere, is the man that pulled the Bridle off his Horse.

Edward Lawrence saith, He was in Company with Robert Simmons and Robert Bellingham, on the forementioned day, time, and place, and saw the five men, which they suspected to be Thieves, but being well horsed, escaped.

The Examination of Paul Bovey, Adrian Lamperier, John Boudandon, Valentine Chivalier, and Guinet Chateuneuf, all French men, taken before me, One of His Majesties Justices of the Peace for the County of Hertford, upon the 12th day of November 1669.

Paul Bovey saith, That he is a Servant to One of My Lord Chamberlains Sons, Mr. Edward Montacute, but that he lodgeth at Mr. Munduglas his House, in George Lane in Kingsstreet, Westminster. He saith he came to Hatfield upon the 11th of November 1669. with four of his Friends, to see the Earl of Salisburies House, And that on Monday before, he and one of his Friends dined at the Scottish Ordinary in Bedfordbury, and on Tuesday they all five dined in the same place.

Adrian

Adrian Lamperier saith, That he came into England the second of this Instant, and that he lodgeth at one Sedgwick's a Barbers, over against the Maypole in the Strand.

John Boudandon saith, he came into England the 15th of August last, and lodgeth in Long-Acre, at a Semstress House over against the Castle; and that he tradeth in Merchandize.

Valentine Chevalier lodgeth with Adrian Lamperier, and came into England with him.

Guinet Chateaucneuf lodgeth with Paul Bouey, which Monsieur Bouey hired all the five Horses, upon which they rode to Hatfield. Sedgwick past his word for three of the Horses, who lives in the Strand over against the May-pole; and all but Bouey affirm, they were not out of London since they came thither, until the fore-mentioned 11th of November.

The Mittimus.

To the Keeper of his Majesties Gaol for the County of Hertford,

I Herewithall send you the Bodies of Paul Bouey, Adrian de Lamperier, John Boutandon, Valentine Chevalier, and Guinet Chateaucneuf, brought this day before me, and charged with the Felonious taking away twenty seven pounds from Robert Simmons of Edmondron, and rissling Robert Bellingham upon Totternol-hill, on the 8th day of this instant November, between three and four of the Clock in the afternoon: These are therefore on the behalf of our Sovereign Lord the King, to command you to receive the forenamed Paul Bouey, Adrian Lamperier, John Boutandon, Valentine Chevalier, and Guinet

Guinet Chateaneuf, and them safely to keep in your Gaole until they shall be thence delivered by due Order of Law: hereof fail not. Given under my Hand and Seal at Hatfield-Woodhall this 12th of November 1669, in the 21th year of his Majesties Reign.

Francis Boteler.

Mr. Sedgwick their Landlord presently sent his Son to Hertford to them, and with him their Servant, whom they had left in London; And that Servant they sent back, with a Letter to my Wife, to let her know who, and where they were: with which she acquainted me upon the Monday-morning, I being at that time sick in bed. Whereupon I sent for Sedgwick, who came to me immediately, and brought with him the men of whom they had hired the Horses, and his Son, and (as I remember) a Servant of his. He gave me an account of those Gentlemen, assuring me they had not been out of London from the time of their coming thither, till that Thursday; And that he believed them to be very honest men, they having carried themselves very civilly in his House: And however, That he would take his Oath, they had not committed any Robbery upon Monday the 8th of November, for he knew they were all that day in London; which his Son and Servant likewise affirmed; and the Men of whom the Horses were hired, said, they had them but that Thursday. And he offered himself to be Bayl for them, but said he could not possibly go thither to bayl them till the Wednesday; Upon which day I sent one with him to joyn in the Bayl; They first went to Sir Francis Boteler, the Justice that had committed them, told him who those Gentlemen were whom he had committed; that they were persons known unto me so far, as that I would answer for them, being very well assured that
they

they were not guilty of that Robbery, as having not stirred out of London all that day on which the Robbery was done in Bedfordshire, at thirty miles distance from thence, nor had been out of London from the time of their arrival thither out of France, till the day before he committed them to Hertford-Gaol, which was three dayes after the Robbery, when they went from London to see Hatfield-House, and that therefore I had sent them to him, to be their Bayl: But all this would not prevail with Sir Francis Boteler, who bade them go to some other Justice, saying, It was not fit for him who had sent them to Prison, to take Bayl for them to let them out. He was then desired, they might not lie in Irons: but he would not meddle with that neither, saying, he left that to the Gaoler, who knew how to keep them. So they left him, and went to seek some other Justice at Hertford, And when they came thither, they found a Letter there from Mr. Justice Morton, that then they could not be bayled. The Letter was directed to the Gaoler of Hertford as follows.

S I R,

THere being Information given to my Lord Chief Justice and my self, that there are five high-way Robbers apprehended in Hertfordshire, and committed to the Gaol, I am desired by my Lord Chief Justice to require you to look carefully to them, that they do not escape out of your Custody, and to iron them well: And withall to write up unto us by what Names they are committed to you, and what their true Names are, if you have or can discover the same: because we are informed, That they refuse to declare what their true Names are: And the Return thereof you are to send by this Bearer, and to be very careful that they may not escape, or be bayled without our special Order: And this we require you to perform at your utmost peril.

Chancery-Lanc.
Nov. 15. 1669.

C

Postscript.

Postscript.

I pray you, That the Beayers hereof be admitted to view the Prisoners, and to confer with them.

So *Sedgwick*, and he that went with him to bayl them, returned next day to *London*, *re infecta*, brought me Copies of the Examination, *Mittimus*, and of Judge *Mortons* Letter : With which I presently went to *Serjeants-Inn* to the Judge, and discoursing the matter with him, made it appear they could not be Thieves : so he said, they should be bayled, but that he must speak first with the Chief-Justice, because the Letter had been written by his advice, and he would give me an account of it the next day in the Lords House : He came accordingly, and then told me the Case was altered, since he had seen me, for that the Butchers had now been with the Lord Chief-Justice, and positively charged them with the Robbery upon their Oaths, so as now they were not baylable. I replied, I thought it strange, That first a Justice of Peace should send Men to Prison without any Oath against them, of so much as Suspition, keep them so long in Irons, so hardly used ; and after several dayes lying so, their Accusers to be sent for to swear to their Accusation, when they had not done it before ; so to make good *a posteriore*, what upon their Commitment before was not good. (For certainly their Imprisonment, and all the Duress they had suffered, without an Accusation upon Oath, and to refuse bayling them, was unjust and illegal :) And I said; the King should be acquainted with it : Which he was, and the Chief-Justice was sent for, and I commanded by his Majesty to attend at the same time, which was the Monday after in the morning : When we came thither, the Chief-Justice telling the King they were Highway-men, and I affirming they were not, and that I would undertake for them

them body for body : His Majesty said, they should then be bayled, and commanded the Chief-Justice accordingly to do it, who said he would ; but yet was it a whole week after, ere I could get them brought to the Kings-Bench Bar to be bayled ; For just that day sennight after, upon the Monday, they were brought thither, and there I entered into a Recognizance of Two thousand Pounds for their Appearance at the next Assizes at *Bedford* : And all that week they had lain in Irons in their nasty Hole at *Hertford* : Nay, I am credibly inform'd, That when they were brought to the Side-Barr in *Westminster-Hall* in the morning before the Court sate, the Chief-Justice was angry, because they had not Irons on ; which was a very great severity to poor young Gentlemen, strangers, whom the King had commanded to be bayled, and whom (if I may say it without vanity) a Peer of the Realm had undertaken for, in the Presence of his Majesty.

At *Bedford* Lent-Assizes they appeared, and were indicted, but their Tryal was by the King's Command removed by *Certiorari* into the King's-Bench. And the first day of *Easter Term* they appeared there : Whither I went not my self with them, because the Small-Pox was in my House, which made me keep within doors, but I sent my Son, bade him do my service to my Lord Chief-Justice, tell him the occasion why I came not, and that he was there to perform what was to be done for the bayling of those Gentlemen : Now it seems the use is upon such a kind of Bayl, after an Indictment upon a *Certiorari*, to require four Persons to answer for the Prisoner body for body : So my Son offered himself, and Mr. *Sedgwick* the Landlord to these Gentlemen, (a Substantial Man, worth at least two or three Thousand Pounds) and two other men, *French-men*, but House-keepers, and that live in a good fashion, to be the

Bayl : The Chief-Justice asked those two, what estate they had, and if they would swear, that all their Debts paid, they were worth three hundred pounds, which they refusing to do, he put them by, and would not accept of them for Bayl ; which I am told is not usual to be required of such kind of Bayl, that undertake body for body for a Prisoners being forthcoming.

Well bayled they were not, but to Prison they went, and there they continued until their Tryal upon Wednesday the 11th of May, at which I was present in Court. That day they were brought to the Barr, and the four Butchers came, their Accusers, and were sworn in Court, of whom three charged them with the Robbery ; And *Solomon Grace* was one of the three, who had refused to swear against them, when they were first seized on at *Harfield*, and afterwards at *London* when the Lord Chief-Justice sent for him ; And I am very certain that he said afterwards in my house in my hearing, and of several of my Servants, that he had not sworn against them, nor would for all the world ; (The occasion of his coming to my house I shall hereafter relate :) The fourth man, *Edward Lawrence* said, he saw the five Thieves at a distance, but he rode for it and escaped, and could not say it was those five men at the Barr. A fifth man was produced, one *George Pettiford*, who said that he rode in Company with *Beauvais* within half a Mile of *Totternel-Hill* about two of the clock in the afternoon that day that the Robbery was, but could not say any thing to the Robbery : The Butchers said also, that two of the Horses which they rode upon, when they robbed them, viz. that which *Adrian Lampriere* had, a Bay with a white face and white feet, and that which *Beauvais* had, a Gray, were taken with them at *Harfield* ; where, upon the Hue and Cry all the five men were apprehended. *Simmons* said further, that

Beauvais

Beauvais was the man, that took his Money from him : And *Bellingham* said, that the black man, (who was *Adrian Lampriere*) when he overtook him, held a Pistol to his Breast, and swore to him *Dam-me what Money hast thou about thee ?* and then rifled him, and finding nothing, took his Girdle, and pulled his bridle off his horses head. And the same *Bellingham* some-while after being again asked and put to it, to repeat what *Lampriere* said, and in what language he spake, when he came to him ; He then answered, that he said *Dam-me*, and jabberd to him, but he knew not well what he said : So would not stand to what he had positively said before of *Lamprieres* asking him, what Money he had in his Purse : And I dare affirm that at that time Mr. *Lampriere* could not have spoken so much English to have gotten thereby all the Money in *England* ; Of which One *Pinson* (that teacheth strangers the English tongue; whom he hath since had to teach him) will take his Oath. This was the Charge.

Then the Prisoners being required to answer to it, Mr. *Lampriere* began to give an account of himself, what he was, and what had brought him into this Kingdom ; That he was a Gentleman, and came not hither to robb upon the High-way : That his friends would rather wish him a thousand times dead, than to be branded with such an Infamy ; And so was going on, when the Chief-Justice interrupted him, and bad him speak particularly to the matters of his Charge ; (And certainly what he was saying was much to the purpose, to shew in the first place the Improbability of his being guilty of such a Fact, by being a Gentleman, a stranger in this Country, and whose friends would detest him if he had committed that Fact ;) He then only named some Persons, and desired they might be heard, to prove, that he could not be guilty of that Robbery, for that he was in *London* all that Monday the

8th of *November*, when the Robbery was committed upon *Totternol-hill* in *Bedford shire*.

And first, one Mr. *Richard Compton*, an ancient Gentleman, and (as I am informed) a Justice of Peace in his Country, was produced, who said, That he lodged in the same House with the two Gentlemen at the Barr, at Mr. *Sedgewick's* the Barber, that he saw them there, and spake with them the Saturday, understanding French a little, and saw them and spake with them the Monday, which was the 8th of *November*, first in the morning, and then at two of the clock in the afternoon, and again at five of the clock the same Evening: (so then if he said true, it was impossible they should be that day Robbing at *Totternoll-hill*; And a grave Person of that Quality affirming a thing in such a solemn Assembly, in a Court of Justice is certainly more to be believed, then those Butchers, even upon their Oathes, who as it appears cared no more to hang men with taking a false Oath, then to have knockt one of their Calves in the head, and accordingly it seems the Jury did believe him,) He said further, that he saw them also the Wednesday, and thought he saw their Horses on Thursday, which they rode on to *Harfield*. The Chief-Justice asked him, how he came to take so good notice of his seeing them the Monday? he answered, that when he heard they were taken as Highway-men, and to have done a Robbery such a day, he had recollected his Memory, how he had seen them at times all that day in *London*, and had set it down in a Paper, with the day of the Month, and pointing to the two Gentlemen at the Barr, to shew he meant them, the Chief-Justice bad him name them, He said, he knew not their Names, which the Chief-Justice presently laid hold on, and asked him, how then he could give such a Testimony of them? he answered, that they had told him their names, but he had forgotten

forgotten them, and called them still only *Monsieurs*.

Next *Thomas Doughty*, an antient man likewise, a Solicitor, was called: He said, he saw those two Gentlemen in Mr. *Sedgwick's* house, Saturday the 6th of *November*, and the Monday being the 8th at three of the clock in the afternoon (just the hour of the Robbery) and saw them also there the Tuesday, and the Wednesday; The Chief-Justice asked him, how he came to take so much notice of them? he answered, that he followed business for Mr. *Sedgwick*, and so had occasion to come often to the house, where he saw them.

Then Mr. *Sedgwick* was heard, who said, That those two Gentlemen, viz. Mr. *Lampriere*, and the *Chevalier*, came to his house the 2^d of *November*, being then newly arrived out of *France*, and recommended by some body, that had told them there were some in it that spake *French*: And that from the time of their coming to *London*, till the Thursday sennight that they went to *Hatfield*, they had not been out of his house above two hours at a time, and then only to their Dinners and Suppers at an Ordinary in *Swan-Alley*: And that particularly upon Monday the 5th of *November*, they were in his house all the morning till about eleven a clock, and then went out to dinner to the Ordinary, and came back about one or two, and staid within till supper time, and then went to the Ordinary, and came back after supper: The Chief-Justice asked him, where they dined upon the Sunday before, he said they dined with him at his house: And that the Tuesday and Wednesday following they were within both forenoon and afternoon, only going out to their meals: that Thursday they took horse at his door to go to *Barnet*, with a resolution to see *Hatfield-House* before their return.

Mris *Sedgwick* (his Wife) said, that those two *French-Gentlemen* came to their house upon the 2^d day of *November*

ember about ten of the clock in the forenoon, brought thither by a Waterman, to whom (they having no English Money) she gave a Crown for them: That they went out to dinner to the Ordinary, and afterwards came back, and lay upon their beds, and she saw them no more till the next day, when she changed some French Gold for them; That from the 2^d to the 11th of *November* that they went to *Barnet*, they were not above two hours at a time out of doors: That Mr. *Beauvais* went with them, because he spake English: That they said if they found not their Merchant at *Barnet*, they would go to *Hatfield*: That she passed her word for their Horses; And not seeing them come home again on Thursday, she much wondred at it, and on Friday in the evening one came to tell them, they were in *Hertford Gaol*: That they sent Letters to the Lord *Holles*, who knew them: That three of them took horse at their door about nine or ten of the clock in the forenoon, and were to meet the two others in *Drury-Lane*: And that the horses were so bad, as they said it would be a shame to be seen upon them.

I must note here that upon the naming of me, and mentioning the Letter, that should be written to me, the Chief-Justice seemed to be moved, and said some thing which I did not well hear, whereupon I stood up, and said, My Lord, I shall give you an account how I came to be concerned, and so began to tell, That they were Gentlemen, Neighbours to my Wife in *Normandy*, who came over hither to see the Country, and falling into this misfortune, writ a Letter to my Wife to acquaint her with it, not to me, (which was a mistake in the Witness,) And so was going on to relate what I knew of the business; But his Lordship was pleased in a very angry peremptory manner to interrupt me, first asking if I was to give Evidence, then bidding me forbear, and saying I must not interrupt the
the

the Court. I replied, That I hoped it was not to interrupt the Court; Nor to do them any wrong to inform them as much as was possible of all passages, that they might the better understand the whole truth of the business: He answered again very angrily, My Lord, you wrong not the Court, but you wrong your self: And it is not the first time you have been observed to appear too much for strangers.

So I was snubb'd, and sat down again. But I must say, it was a language, I had not been used to, nor I think any of my condition, that have the Honour to serve the King in the quality I do of a Privy-Counsellor.

Then *Sedgwick* the Son was called, who said he knew those two, viz. Mr. *Lampriere*, and the *Chevalier*, That they came to lodge at their House, the 2^d of *November*, and their continu'd till the 11th. That the day before they went their journey all five met at their shop; And that in the morning, three of them (their two lodgers and *Beauvais*) took horse there, and said they should meet the other two in their way, and so go to *Barnet*: That upon Monday the 8th of *November*, he saw the two (the *Chevalier* and the other) at home about ten of the clock, and again about two in the afternoon; And that they staid within till the evening; And the same account he gives of them for Tuesday and Wednesday.

His Sister *Mary Sedgwick* confirms what was said of their assiduous and constant being at home; Only adds this, that upon Monday morning the 8th she carried up a Landress to them to their Chamber, and that the little man, meaning the *Chevalier*, was in his bed about ten or eleven of the clock: And that every day after until Thursday she saw them in her shop, she keeping a Sempstress Shop.

Philip Lemmon a Poulterer saith, That as he was waiting

tering his horse in the *White-Hart yard* upon the Wednesday, Mr. *Lampriere*, the *Chevalier*, and *Beauvais* coming by, *Beauvais* asked him, if he had any Horses to let? and he said, he had but one: So they went, and he with them, to one *Hooper*, who had but one neither, and asked 3 s. for his hire, and they proffered half a Crown: He said that his Horse was a Bay, with a white face and four white feet, *Hoopers* was a little Gray Nag, and that there was a Gray Mare besides hired of another man: And said, That one Capt. *Hill* had hired his Horse on the Monday before to go to *Brickbill*, and kept him till the Wednesday: It is to be noted, that this was the Horse, which the Butchers swore, *Lampriere* had under him when he robbed them, whereas it appears by this mans Testimony, that one Captain *Hill* had him that day, and full two days after, for he brought him back to *London* but the Wednesday, the day before these Gentlemen hired him.

Mary Hooper, Wife to him that let out one of the Horses, saith, That she sent the little Gray Nagg on Thursday morning to Mr. *Sedgmick's* house, And that on the Wednesday before she saw those three Men with her Husband hiring that Horse of him: And note, That this was the other Horse, which the Butchers swore that *Beauvais* ridd upon when he robbed them; Whereas it appears, that none of them had this Horse till three dayes after that Robbery, when they went to *Harfield*, nor was it *Beauvais* who had him then, but Mr. *Lampriere*: so they swore falsely, for it appears, neither he nor the Horse were there.

William Wood Master of the Victualling-house in *Swan-Alley*, witnessed, That Mr. *Lampriere* and the *Chevalier* dined and supped at his House Monday the 8th of November. The Chief-Justice asked him, how he came to take notice,

notice, that they were there just that day? He answered, That there was a Writing sealed between two Persons at his House that day, and he had since looked upon the date of it, and found it to be the 8th of *November*, and he very well remembred that those two Gentlemen were then present. The Chief-Justice then asked him, Where they dined upon the Sunday? He said, at his House. Whereupon Mr. *Sedgwick* was presently called, and asked again, where the Gentlemen dined on Sunday? and he (as he had done before) said, at his House.

Of this the Chief-Justice took notice, shewing how the Witnesses contradicted one another, which he said took off their whole Testimony (or some words to that effect; And by the way let me say, that I would not be understood to take upon me to repeat still the very Identical words that were spoken by any, but I am very confident, that I do not vary a tittle from the sense of what everyone said.) The same *Wood* also testified that they had dined and supped at his house the Tuesday, and the Wednesday following; So as it appears, they continued still in *London* until the Thursday.

Then *Charles Walrond* came into the Court and confessed, that himself, *Du-Val*, *Aspenburst*, *Cassels*, and *Mac-Guy* were the five men that committed that Robbery upon the Butchers at *Totternol-Hill* upon Monday the 8th of *November*; That they robbed them about the middle of the Hill; That himself rode upon a Brown Gelding. That it was *Aspenburst* that took the Money from the Butcher, about 22 *l.* odd money: The Chief-Justice then stopt him, and said, That he knew he would say what ever he was bid to say; And then asked him, if he had been indicted for this Robbery? he said, No; and the Chief-Justice replied, Now Sirrah you have confessed enough, and

you shall be indicted, or you may be indicted, one of the two I am sure he said, but which I will not positively affirm.

He had said in the account he gave, That one of the Butchers breaking from them and galloping away, he followed him over some Plowed-Lands; and the Butcher affirming it was Stubble he rode over, the Chief-Justice made a great matter of it; insinuating, as if *Walrond* had said false, and that he was not there at all, but meerly took this Robbery upon himself at my solicitation, upon hope of his Pardon; yet another of the Butchers confessed there was both Plowed-Land and Stubble: And what was it material which it was? It had been no wonder, if neither could have told; and that both had been mistaken: For hardly doth either he that rides away from a Thief as fast as his Horse will carry him, and sufficiently frightened withal, or the Thief that rides as fast after him to overtake him, mind the Ground they ride over.

Then Sir *George Charnock* was called in to testifie what *Du-Val* and *Mac-Guy* had confessed concerning this Robbery: But first I must tell, how the Butchers (and *Bellingham* chiefly) had a little before given Information, That they had been sent for up to *London* by the Lord *Holles* his Warrant, and carried to *Du-Val* at *Newgate*, where *Du-Val*, *Mac-Guy*, and they were examined by two Men, who pretended themselves to be Justices of Peace, and who after they had examined *Du-Val*, carried him to *Mac-Guy*, but first went in themselves, and staid with him half an hour, and when they came into the Room they took him aside again, and spake with him in private a good space, acquainting him (as *Bellingham* said he conceived) with what *Du-Val* had confessed, and promising him his Pardon, and that then *Mac-Guy* said the same things with *Du-Val*,
and

and took the Robbery upon him, as *Du-Val* had done before: I must note, that upon *Bellingham's* saying they were sent for by me, I stood up and said, that it was done by the King's express Command.

The Chief Justice asked; Who were those Justices, and what were their Names? and used some expression to this sense, That those Justices deserv'd to be sent to the Gallies themselves; And withal cast his looks upon me, and by his gesture and countenance seem'd to mark out me, as the Setter and Contriver of a foul Practice, to send those Justices thither to make those condemned Persons own the Robbery, and acquit the French-men; So as all the standers-by took notice of it, and looked upon me, as well as did the Judge; yet I sat still and would not say any thing in the Court to vindicate my self; because I would not give any interruption to their proceedings; as the Chief Justice had before told me that I did, and I believed he might again have said the same. But truly if I had done any unworthy thing even to have saved their lives, or had any design of suborning, or in any unfitting way perswading any body to do or speak for them, or had contributed any thing to the effecting of such a design, I should abhor my self for it. And after I shall have gone through with all the Witnesses, I shall then give an account, and a very true one, of all my transactions in that business: And will now go on with the Testimony of *Sir George Charnock*.

He said, that himself and *Mr. Andrew Blackwell* Counsellor at Law, and *Mr. William Sedgwick* and one of his Majesties Messengers, were sent by me, together with *Bellingham* and other the Prosecutors, to *Du-Val* to *Newgate* just before his going to Execution: That they found him in a room, which was not very dark, and yet had also a Candle in it, so as *Du-Val*, and the Butchers might easily

discern

discern one another, and he asked them whether they knew one another: *Du-Val* confessed that he and his Camerades had committed the Robbery upon these men, and named *Walrond*, *Ashenbush*, *Cassels*, and *Mac-Guy* to have been those that were then with him at that Robbery; That *Bellingham* thereupon swore, By God he was not the Person that Robbed them: And *Du-Val* upon that said, Friend be cautious how you swear and prosecute Innocent Persons; for men of your profession, Butchers, care not what you swear against any man; And instanced in a Robbery in *Surry* committed by him, and others, upon some Butchers, which they had charged peremptorily upon other persons that were innocent. And then said further to *Bellingham*, You may remember it was I, by the same token, that you fled from me over the Plowed-Lands, and my horse tired, so, as I left following you, and walked back with my horse in my hand; And Sir *George Charnock* said, that he then asked *Bellingham* what he said to that, and that *Bellingham* was startled at it, and confessed it to be true, that he did ride away from them towards *Layton*.

And so was going on with his Testimony, when the Chief-Justice interrupted him, and required him to answer a Question which he would propose, which was, to know how long he had been with *Mac-Guy* before the Butchers saw him? To which he answered, That he desired his Lordship he might first give a full account of what *Du-Val* had confessed, and that then he would tell all that had passed with *Mac-Guy*: But his Lordship would not suffer him, but said, Pray you Sir *George* go on no further, but answer this Question. Whereupon he told him, that he was a little while with *Mac-Guy*, but not alone, for Mr. *Blackwell* and young *Sodgwick* were there as well as he, and that he asked *Mac-Guy* if he was one of the Persons
which

which had committed such a Robbery: and he denyed it; whereupon he sent for the Butchers into the room, and desired them to look upon *Mac-Guy*, and see if they knew him; which they said they did not. The Chief-Justice then asked him, if he took not *Mac-Guy* aside the 2^d time? he said he did, but Mr. *Blackwell* and young *Sedgwick* still present, and that it was only to make him discharge his Conscience and tell the truth, which he conceived it to be his duty to do, and so was going on to relate all passages; But the Chief-Justice stopt him, and with much sharpness reproved him, saying, Sir *George* you have gone too far, and have done too much already: here hath been a foul Contrivance, it would be examined by what Authority you have done it: And would hear him no further, nor suffer him to read *Du-Val* and *Mac-Guy's* Examinations which he had in his hand and shewed unto him, notwithstanding that both Sir *George* and my self had just before told him, that all had been done by the Kings express command.

Then the Masters Mate of the Ship, *John Bardick*, who brought over the two Gentlemen into England, was called: He said, that he took in those two Gentlemen viz. Mr. *Hosville* and Mr. *Lampriere*, and one Servant of theirs aboard his Ship at *Roven*, upon the 27th of *October*; that he landed them at *Ratcliff* upon the third of *November*; that they went into *London* that day, and came back and lay that night on shore in *Ratcliff*, and the next day they went again to *London*, and came no more; And he sent a Seaman along with them to carry their things: The Chief-Justice then asked him, if he was sure, that he landed them the 3^d of *November*: he answered Yes, for that he had set it down in writing and had it ready in his hand to shew. Then *Sedgwick* the Father was presently called, and asked again, What day those two came to his House: He said

said (as before) the second of *November*: And sharp Reflections were made upon this faltering in his Testimony, as if the stress of the matter had lain in this, Whether the second or third of *November* was the day of their landing: which no man will say could signifie any thing, to prove, whether or no they had been robbing upon *Totternol-hill* the eighth.

And so ended the Tryal of those two Gentlemen, *Hoeville* and *Lampriere*: Then *Paul Beauvais* was called upon to answer for himself; And he desired only that his Witnesses might be heard, to prove his being in *London* the day of the Robbery.

And first *Sir Steven Fox* was called, who being in Court, affirmed upon his Salvation, that he saw *Beauvais* at a French Play that very day from three of the clock in the afternoon untill seven; (Note, this was the very time of the Robbery.) The Chief-Justice asked him, How he came to take notice that it was that very day? Of which *Sir Steven* gave this account, That his Wife and himself, and his Daughter, and a Gentlewoman that waited on his Daughter, were that Monday at the French Play, and his Daughter sitting before him in the Box, looked over into the Pit, and saw *Beauvais* there, and turned back to him, saying, Father, *Paul Beauvais* is not gone into *France*, I see him here: Whereupon he said he looked over also into the Pit, and did see him there; and saw him also, and spoke to him at the end of the Play, about seven of the Clock: He said also, That he was then to go into *France* to his Mother, and that he thought him gone: And for his taking such particular notice of him, and his being there that very day, Monday the eighth of *November*, (for that was asked of him as well as of others) He gave this Reason, That hearing so presently after, within four dayes,

that

that *Beauvais* was taken with some others, and committed to *Hertsford* Gaol for a Robbery done that day, he easily recollected himself and remembred his being that day at the French Play : and this upon his Salvation he declared to be true.

His Wife the Lady *Fox*, and their Daughter, and the Waiting-Gentlewoman confirmed all that Sir *Stephen* had said.

Then one *Mac-Don* (as I remember his name, who in *Beauvais's* Examination at *Hatfield* is called Mr. *Munduglas*; but whether mistaken there or here, or in both I know not) a Scotch-man, at whose house *Beauvais* lodged, was called, who said that *Beauvais*, and *Guinet* the other Prisoner with him, were at his house the said Monday, and after dinner they went into *Holburn* (as themselves said) to a Barber there.

And that Barber he came and said, that they were at his house about two of the clock in the afternoon that day, and that *Guinet* cut his (the said Barber's) hair, and afterwards that they went both of them from his house, and said they would go to a Play.

I must not omit one passage more upon the Testimony given by a Woman (whose name I have forgot) produced on the behalf of the Prisoners, she saying she had upon the Wednesday hired out a Gray Mare to carry one of them to *Hatfield*, and the Butchers having said that one of the Thieves that robbed them the Monday before on *Totternol-hill* was upon a Gray Mare: the Chief-Justice (to shew the colour was the same, and that so it might be thought to be the same Mare) would have the Woman repeat it again, and therefore asked her, *What colour her Gray Mare was of?* which having moved some laughter, he put it off with a jest,

mentioning the old saying, that the Gray Mare is the better Horse.

And so the Examination of Witnesses for the Prisoners ended ; For the Judges said, there was not Evidence against the other two Prisoners, *viz.* *Guinet* and *Boutandon*, wherefore there was no need of hearing any more Witnesses on their parts. And then calling the Jury, the Chief-Justice applied himself to them, and to the summing up of the Evidence, which had been given *pro* and *con*, for the Prisoners and against them. In which to be short, I shall only say, that he insisted much upon the contradictions which he said he had observed in the Evidence brought on the Prisoners behalves, the Witnesses thwarting and contradicting one another, which took off much from the Credit of their Testimony, and that three men had positively charged them with that Robbery upon their Oaths; Only he acknowledged something to have been said materially by Sir *Stephen Fox* for the clearing of *Beauvais*, and so would have differenced his case from that of the two young Gentlemen whom I had appeared for, and bayled ; and what ground there was for it, let any indifferent man judge, that reads this Narrative : But so he left it to the Jury.

The Jury then went together from the Bar, and after some two hours stay returned, and delivered in their Verdict, *Not Guilty* : Upon which Mr. Justice *Morton* (as I am informed, for I was then gone out of the Court,) said to them, Gentlemen you have done well ; and if I had been of the Jury, I should have done the same thing that you have done. And so the Tryal ended.

And now I shall give an account what hand I had in taking the Confessions of *Du-Vai* and *Mos-Guy*, and likewise

wife of *Walrond*. I was from the beginning as certain, as I could be of any thing that I had not seen with my own eyes, that the two French Gentlemen were most Innocent of the Robbery which was laid to their charge : And I did verily believe, That *Du-Val*, who likewise was a French-man (but spake as good English as any natural-born English-man) had done the Feat, and that the Butchers might be deceived, taking one French-man for another, and really think themselves in the right, accusing those they did, and so be guilty of false swearing without knowing it : Wherefore when *Du-Val* was apprehended, I did within a day or two after, take a Gentleman with me, (one Mr. *Hull* of *Dorsetshire*) and went to *Newgate* to speak with him ; and when I came thither, I did send for him into the Hall, which was full of People as it could hold, come out of curiosity it seems to see him, though I knew none of them except Mr. *Charles Bartue* Brother to the Earl of *Linsay*, who with twenty more heard all I said to *Du-Val*, and I doubt not but he will testify the truth of what I here say, which is this, That when *Du-Val* came to me, I said this to him, Mr. *Du-Val*, I am sorry that you have brought your self into this bad condition, it hath been your own fault ; And the best Counsel I or any man can give you, is, to make your Peace with God Almighty, and make way for his Mercy ; and one good help to it will be, to do all the good you can before you dye, that is, by preventing Mischief as much as in you lies, discovering those Persons who have joyned with you in committing of Robberies, That they may be apprehended, and rob no longer ; and confessing the Robberies that have been done by you, that Innocent Persons may not suffer for them : Then I asked him if he had not done that Robbery at *Totternol-Hill*, for which some Country-men of his were questioned : He then stood still a good while, with

his head down, and his finger upon his mouth, musing, and said at last, That he was within three miles of the place where those French-men were apprehended, at the time of their Apprehension. But I prest him again to speak to the Robbery : And then he denied it, and said he was not there : To which I replied but this, I have no more to say to you ; God forbid you should take it upon your self if you be not guilty. This I will be deposed was the summe of all I said to him ; And so I came away, and thought no more of it, till two dayes before his Execution, that one of the two French-Gentlemen came and told me, That now *Du-Val* had cleared them, and confessed, That he and others had committed that Robbery ; And I asked him to whom he had confessed it, to an Englishman or a French-man ? he said, to an English-man : I asked him then, if that English-man would tell me so much ? He answered, that he thought he would, and that he would bring him to me ; which I desired might be the next morning : Accordingly he did bring him to me the next morning, and that man did tell me, That *Du-Val* had confessed to him, That he and four others, whom he named to him, had committed that Robbery at *Totternol-Hill* ; those four he said were *Mac-Guy*, *Ashenburst*, *Cassels*, and *Walond* : I asked him, if *Du-Val* would declare so much to any other person that should be sent to him ? he answered, That he was confident he would, for he had not revealed it to him in Confession ; which made me believe him to be a *Romish* Priest ; but I took no notice of that, only said, That it would be worth the while, and that perhaps I should use some means that his Examination should be taken before he suffered.

It was upon a Councel-Day, and I was then going to Councel, where I acquainted the King with what had been told me that morning, and said besides, That I thought it
would

would be very well, if that the Butchers that had accused those French-men were sent for to be confronted with *Du-Val* before he dyed; things might be set right, Innocent Persons might be freed, and the Butchers themselves be disabused, That they should not, by mistaking one French-man for another, persist in their false Oathes. His Majesty answered, I think it will be very well, Let them be sent for, and accordingly bade me call Mr. Secretary *Trevor* to him, who was in the Room, to whom He gave Order to send for the Butchers. After the rising of the Council I returned home; And soon after one of the Messengers of the Chamber came to me from Mr. Secretary to know the place of the abode of those Butchers, Mr. Secretary having forgot it; And the Messenger, after I had informed him of it, went his way.

That afternoon Sir *George Charnock* came to my House, (as he used to do many times) and I told him what I heard that *Du-Val* had confessed, and what was done upon it, and asked him, if he could be at leisure to go to *Newgate* to hear what *Du-Val* and the Butchers would say one to another? He said he would.

And then considering whom I should joyn with him, I pitch'd upon Mr. *Blackwell*, a Counsellor at Law, who being an Acquaintance of Mr. *Sedgwicks*, and using much to his House, had been with me once or twice for the business of those two French-Gentlemen; I sent to him to desire him, that he would give himself the trouble of that Employment, and he accepted of it. These two were utterly unknown the one to the other, and had never seen one another before; so it had been a very weak part in me to have together engaged them in a foul Contrivance, nor is it likely they would have trusted one another to have together undertaken it.

That night very late, as I was going to bed, one of my
Ser/vants

Servants came and told me, That the Messenger was come with the Butchers, and said that Mr. Secretary had given him Order to bring them to me: Whereupon I sent for them all into my Chamber, and asked them if they were the men that were robbed at *Totternol-Hill*? They said they were; and I told them, That it seems it was *Du-Val* that robbed them. *Bellingham* (who was the forward man) presently said, No, he would swear it was those Frenchmen that were taken at *Hatfield*: I bad him take heed how he did swear, for if it was not they, he would be forsworn; but he stood to it, that they were the men: Then I asked the rest, what they said to it? *Simmons*, who was the man robbed, was nothing so positive as *Bellingham*; *Lawrence* said, he could not swear who it was, for he rode away before they came so near as that he could discern them to know them again; *Solomon Grace*, said these words, My Lord, I have not sworn against them, nor will for the World; They used me well whoever they were, for I rode with them a good way, and had fourscore pounds about me, and they meddled not with me, but when they left me and rode back, they bade me Farewel. (Yet did this man at their Tryal swear as lustily as *Bellingham* himself; but how he came to do so, let them give an account who perswaded him, and no question they will do it one day.) I said only this to them, Well Friends, it is the King's Pleasure you should see *Du-Val*, and he you, therefore if you will be here to morrow morning betimes, I shall send some with you who shall bring you to him; And I bade my Servants, who were in the Room, have them down to the Buttery and make them drink, where discoursing again of the business, *Solomon Grace*, in the presence of three or four of my Servants (who will be deposed of it) said again the same thing that he had said to me in my Chamber, That he had not sworn against them,

nor

nor would for the World. *Bellingham* still obstinate, and in such a rage, as my Servants afterwards told me, that he would taste neither Beer nor Wine.

In the morning, *Sir George Charnock* and *Mr. Blackwell*, and with them *Mr. Sedgwick's* Son came to my House, where they met the Butchers and the Messenger, and all together went to *Newgate*: and *Sir George Charnock* and his Company came back at Noon, and gave me an account of their Negotiation; which was this; They told me they were first with *Du-Val* and examined him, who had fully confessed the Robbery, and told the Butchers of many particulars, which the Butchers themselves had acknowledged true, yet would not be convinced; but that one of them especially (which was *Bellingham*) still persisted, saying, That the other men did the Robbery.

What *Du-Val* said, they had put down in Writing, and they three had signed it; but *Du-Val* being presently to be carried out to Execution, they said, they had not put him to sign it.

They afterwards asked if *Mac-Guy* was still in Prison: and because *Du-Val* had named him to have been one of the Company, they would examine him, and went up to him; and first it seems they three went up by themselves (which yet I do protest I knew not, till I heard it said at the Tryal in the King's-Bench, though I do not understand that they did ill in so doing, to see what temper he was in, being a condemned man, before they would bring the Butchers to him) they do all three say, that they did not acquaint him with any of the particulars that *Du-Val* had declared, till he had acknowledged himself an Actor in the Robbery, confessed the whole business, and of himself told them many of the same passages which *Du-Val* had told before, he not knowing what *Du-Val* had said. It seems he was unwilling at the first to confess any thing,
and

and said, he did not know the Butchers : and they said the like that they knew not him ; but upon their pressing him a second time to discharge his Conscience, he then confessed all, which they took in writing, and he put his hand to it. Both their Confessions (*Du-Val* and his) I shewed to his Majesty, and they are inserted here *Verbatim*.

The Examination and Confession of *Du-Val*, Prisoner in *Newgate*, taken by Sir *George Charnock* Knight, Mr. *Andrew Blackwel*, and *William Sedgwick*, immediatly before his Execution, being the 21th of *January* 16⁹³, in the presence of *Solomon Grace*, *Robert Simmons*, *Robert Bellingham* and *Edward Lawrence*, all of the Parish of *Edmondston* in the County of *Middlesex*, Butchers ; concerning a Robbery committed on them at *Totternol* in the County of *Bedford*, by the foresaid *Du-Val*, with *Walron*, *Ashenbush*, *Cassels*, and *Mac-Guy*.

When and where the said Du-Val confessed and said, That the said Robbery was committed by him and his above-named Companions ; and more particularly , That Solomon Grace aforesaid being shewen unto him, did ride with them about a mile, till coming to two little Houses at the bottom of the Hill, they left the said Solomon Grace watering his Horse, and returned up the Hill, where they met with the other three Butchers, one whereof fled upon the Plowed-Lands, whom the said Du-Val pursued upon a little gray Nag, but could not overtake him, because of the weakness of his horse, which he was forced to lead in his hand afterwards at least the space of twelve-score : In the mean while Ashenbush robbed Simmons of twenty seven pounds, or thereabouts, part whereof was in odd money : And that from the other nothing was taken, but a girdle,

girdle, and the bridle pulled off his Horses head : Which circumstances of the Action the aforesaid Simmons and Bellingham did then acknowledge to be true. And he further confesseth, That after this Robbery committed as aforesaid, he did perceive one of the two persons that were robbed, to ride hard towards Layton, which by the acknowledgment of Bellingham was himself. And the said Du-Val at the time of his Confession aforesaid did advise the afore-named Butchers, to be cautious how they prosecuted Innocent Persons; declaring, that men of their Trade did not care how they swore against any man: For, a Robbery was committed by him on some other Butchers, and they had peremptorily charged it upon another person. And in the conclusion of his Confession he put on his Perrivig, affirming, that he was present at the Robbery in the same Perrivig so tyed up, and asked Bellingham if he knew him now?

Signed by us,

G. Charnock.

Andr. Blackwell.

William Sedgwick.

The Examination and Confession of Patrick Mac-Guy, Prisoner in Newgate, taken by Sir George Charnock Knight, Mr. Andrew Blackwell Gent. and William Sedgwick Citizen, the 21th of January 1672, concerning a Robbery committed by him, with the aforesaid Du-Val, Walrond, Ashenhurst, and Cassels, in the Parish of Totternol in the County of Bedford.

Patrick Mac-Guy confesseth, and saith, That he was with the aforesaid Du-Val, Walrond, Ashenhurst and Cassels, at Totternol-Hill in the foresaid County, where they met with three persons, one whereof they robbed of about twenty seven pounds, of which twenty one pounds odd money was in a Wallet,

F

which

which was taken by Ashenhurst, and had in it about thirty or forty shillings in Ninepences and Thirteen-pence-half-pennies : The other which he took out of his pocket Ashenhurst never discovered. One man made his escape, and the other had nothing taken from him. The time of the day, about three of the clock in the afternoon. That Bellingham had a green Rugg upon his Saddle : which he the said Bellingham confesseth. Simmons likewise confesseth, That there was odd money in the sum, but remembers not the quantity : And that likewise in the Wallet there was Twenty pounds odd money : and that above five pounds was taken out of his pocket. Mac-Guy further declares, That an old man kept them company about a mile to the foot of the Hill, where he watered his Horse : And that they bid him Good Night old Man : Which Circumstance Solomon Grace and the other three acknowledged to be true, they being acquainted with it when the said Grace came to them. And the said Mac-Guy declared, he never was in other Robbery, but this and my Lord Grandison's. He asked Bellingham if he did not remember, That he told them, that he was a poor Grasier, and had no Money ? And Bellingham at first replied, No, he remembred no such thing ; but recollecting himself, told them, he said, he was a poor man, and had no money.

Signed by us, G. Charnock.
Andr. Blackwell.
William Sedgwick.

Signed,
Patrick Magee.

I appeal now to every mans Conscience that shall read these Confessions, if it can be believed, that any other, but these men that knew all these particulars, could be guilty of this Robbery ; and if it was possible that Sir George Charnock should have put all this into Mac-Guy's mouth, who did not only say the same things that Du-Val had said, but enlarged and confirmed them with many other
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Circumstances, which the Butchers themselves confessed and acknowledged to be true, and which Sir *George Charnock* could not know: As the Money taken, to have been, some in a Wallet, some in *Simmons* Pocket, and that the broken Money was part of that in the Wallet: This *Du-Val* had not specified, yet it is a great Confirmation of what he had said: Then one man to escape, which was *Lawrence*. That *Bellingham* had a green Rugg upon his Saddle, which *Bellingham* could not deny, but acknowledged to be true. That *Solomon Grace* watering his Horse at the foot of the Hill, they should say to him, *Good night old man*, which *Du-Val* had not said: So to tell what *Bellingham* said to them, which he acknowledged so far, as to confess, that he said, *he was a poor man, and had no Money*, though not that he was a poor *Grafier*, as *Mac-Guy* had said: which was no great mistake. Certainly none but they that were present and did the Fact, could discover these particularities.

I shall now give an Account of my Transactions with Mr. *Walrond*, whom I thought fit to examine, after I had seen what the other two had said: And therefore went to the *Gate-House*, and spake with him there in the Kitchen, where the Lady *Broughton*, (who hath the keeping of the Prison) and the Turn-key were present, and heard all I said to him; I asked him, if he knew any thing of the Robbery committed such a day at *Totternol-hil*: Of which I desired him but to tell me the truth?

His answer to me was this, *My Lord, no body as yet hath come against me to accuse me, so I have not been indicted; And if I should accuse my self, I might bring my self into trouble, and I have not yet my Pardon, which I hope I shall obtain of the Kings Mercy.*

I replied; Mr. *Walrond*, this I will promise you, that
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whatsoever you say to me shall not rise in judgment against you, it shall do you no hurt I do assure you; I desire but to know the truth: for some Persons are accused of that Robbery, who I know are very Innocent: (And whether or no I told him so much, as that *Du-Val* had confessed it, I do protest I do not remember; they may be asked that were present, the Lady and the Turn-key (I have not spoken to them since, nor will I) but I think I did not; however if I had, I know not that any thing would have been amiss in it, if in general I had told him, that *Du-Val* had confessed it:) His answer to me was, *My Lord I will cast my self upon you and tell you all*, and then did confess to me the whole matter, and told me many particulars. Then indeed I did say to him, that he had done well, and had told me but what I knew before, for both *Du-Val* and *Mac-Guy* had confessed the same things; And as to his Pardon I did again assure him, that it should be no prejudice to it, happily it might be an advantage, for that I would endeavour all I could to help it forward: He afterwards at my desire put down in writing what he had said; And I did move his Majesty for his Pardon, and got it passed for him, which I did for two ends; One out of Charity, he had no Money to pay for it, and he deserved it for the discovery which he had made of that knot of Thieves *Du-Val* and his companions, some of whom were taken, and the knot thereby broken by his means: the other end was, that he might be *Restus in Curia*, and appear a competent Witness, to discover the truth of that Robbery; But he was so terrified at the Tryal with being threatned and told he had now confessed enough to be indicted for it, and perplexed with questions, that he knew not almost what he said, and left an impression (I verily believe) with most of the standers-by, that he was gained by me to take this Robbery upon him, meerly to
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save the French men at the Bar, himself not at all guilty of it.

But how undeservedly that could be imputed to me, let my greatest Enemy be Judge, if this my Narrative be true, as I take the God of Truth to Witness, that it is true, I mean for matter of Fact, and for what I relate here, as said or done by me, and for my intention, that it was just and honest, without any Trick or Design, and all above-board, meerly to preserve Innocency, and that in Strangers, that wanted Language, Friends, and all other support and help to make their Innocency appear.

I have always heard, that the Judge should be of Counsel with the Prisoner; And that is one reason given, why he needs no other Counsel, and that the Law allows him none; For the Judge upon the Bench ought to help him with his advice and direction, that he run not into any Inconvenience, by his ignorance of the Law, and of the Forms of Proceeding, and to take care that he be not circumvented and ruined by the Malice, Art, and Cunning of his Prosecutors, or by the Weakness and Simplicity of such Witnesses, as are produced to justify and clear his Innocency, who many times have not Wit nor Elocution to tell their Tale so, as to make his Innocency and the Truth to appear. And certainly it is the duty of a Judge, and Justice is as much concerned, to preserve and deliver an Innocent Person, that is falsely accused and unjustly prosecuted, as to condemn and punish one that is really Criminous; and that of the two is the more acceptable, and well-pleasing both to God and Man.

These two Gentlemen were Strangers, that understood not the Language, either what was said to them by their Judges, or against them by their Accusers, or for them by their Witnesses; And they had an Interpreter given them,

them, a young Student that was there in Court, who did need an Interpreter himself: For no body understood a word he said, scarce when he spake English, he spake so low and unintelligibly, so as they were never the nearer to understand any thing that passed, though so much concerning them, even their Lives; nor was there any care taken that they should understand any thing, the Interpreter not once bid to ask them a Question upon what was urged against them, to know what they would say to it.

And commonly a Judge will call for the Examination taken upon the first Commitment of a Felon, and begin there; But not a word of that, for that Examination would not have been authentick, not being taken upon Oath, nor they positively charged by those Butchers, who only said, One of them, That they were like the Men whom he saw upon the Road; *Simmons*, That he believed they were the Men that robbed him; And *Bellingham* himself no more but this, That he verily believed *Adrian Lamprere* was the Man that pulled the Bridle off his Horse-head: This was well known to be no sufficient ground for the Justice to send them to Gaol, clap Irons upon them, and put them into a room without light, with a little Straw to lie upon, more like Dogs, then Men, especially Gentlemen and Strangers: Nay, the second Examination was not produced neither, that which the Lord Chief-Justice took himself four or five dayes after, when he sent for those Butchers to *London*: For though two of them indeed had there taken their Oaths, and charged them positively, yet *Solomon Grace*, who at this Tryal in the Kings-Bench swore as stoutly as any, would not swear then.

And another particular I observed, that the Butchers said in their Evidence, That these men were taken upon the *Hue & Cry at Hatfield*; and it is very usual for a Judge upon

upon a Bench, when Felons are apprehended upon such a Warrant, and brought to their Tryal, to call for that Warrant, to see the description there given of the Persons pursued and apprehended upon it, whether or no it agrees with the Prisoners at the Bar, which gives a great light to discover if they be the Men, and probably would have shewed that these were not; Nothing of this neither, but with what intention neglected, I judge not.

It is certain that the Prisoners were far from receiving any favour, the younger of the Gentlemen, Mr. *Hoerille*, who understood not any thing of all was done or said against him, and I believe not apprehending of what concernment it was to him, out of a childish Innocency hid his face and smiled a little, to see such a stir about him; The Chief-Justice espied it, and fell upon him severely for it, telling him he must not laugh there, and put the poor youth past laughing, who yet understood not what he said, only saw he was angry.

The other Gentleman, Mr. *Lampriere*, when he was asked, What he had to say for himself, to what the Butchers had laid to his charge (which yet was not interpreted and made known to him, nor did he at all know what it was, and yet was now to speak to it for his life) began in his Language in French, to give some account of himself; The Chief-Justice stopt him, and would not let him go on, but bade him answer to the particulars, and yet took no care to let him know what they were; which was a great disheartning to him. And usually when any man, that is not known, is suspected of a crime and tryed for it, the Judge will in the first place inform himself what the man is, and whence, and of what conversation of life, and learn all particulars that concern him, as much as is possible; which will be a great leading to his judgment of him, and of the matters that are brought against him; but here
neither

neither the Prisoner could be permitted to give an account of himself, nor no body else must do it for him.

And I think there was as much reason now to proceed with Circumspection, and to hear and examine, and well weigh all, for and against those Prisoners, as for any that had been tryed at that Bar of a great while ; There were Persons of Quality appeared in their behalfs, undertook largely for them ; That they were not Men to do such an Act, being of good Families in their own Country, Strangers, newly arrived here to see this Country, no wayes in need of Money, bringing with them sufficient to defray the charge of their Travels, so most unlikely they should begin here with Robbing upon the High-way : But further, there were those of good Credit, that did affirm upon their Credits, some upon their Salvation, and all of them ready to be deposed, that they could not be guilty of that Fact, for that they saw them, and spake to them here in *London* that day, and in that instant of time, that the Robbery was committed above thirty miles off in *Bedfordshire* ; so there was an impossibility of their being guilty of it. And who accused them ? Three mean Fellows, of no very good lives nor conversation ; and they Butchers, of no commendable Occupation to have to do with Mens Lives, either as Jury-men or Accusers ; and one of these as bold an impudent Fellow as ever I saw with my eyes, that is *Bellingham* : And more than all this, it was well known, That even His Majesty himself had a strong perswasion of their Innocency, and was desirous that all just Favour should be shewed unto them, and had Himself done all towards it depending upon Him, and the rather because they were Strangers, who were newly come into his Kingdom, and so had put themselves under his Protection ; and his Majesty had well considered the consequence, both as to the Reputation abroad of his Royal Justice and Good Government,

Government, and likewise for the Safety and Freedom of of his Subjects in Forreign Parts, who must have expected the same measure there. Certainly, all this laid together, me-thinks should have made one cautious how he entertained a prejudicate Opinion against them; and not to take advantage upon any Mistake, especially in Circumstances not at all material, As whether the Gentlemen landed and came to *London* the second, or the third of *November*? Where they dined the Sunday before the day of the Robbery? Whether it was Plowed-Land, or Stubble that the Butcher rode over, when he ran away from the Thieves, and they followed? And because there was some disagreement in these particulars, which signified nothing to prove them either Innocent or Guilty, yet this was blown up to such a Magnitude of Contradietion, That the whole Testimony of those Witnesses must be overthrown by it.

To say the truth, there was not the least colour of Guilt upon them. Therefore it is well, that their Tryal received so fair an Issue, answerable to their Innocency, and that they were at last delivered from the Unjust and Malicious Prosecution of those Butchers: For had that Malice prevailed, and Innocency been oppressed; and Strangers, who by the Law of Nations are to receive Favour and Protection, in lieu thereof had found here Injustice and undeserved Ruine, What would have followed upon it? Our Government, and our Administration of Justice would have been a Reproach and a Hissing to Foreign Nations, and especially to our Neighbours of *France*, who would have hated and derided us for it, and perhaps have made the next *English-man*, that should come amongst them, pay for this piece of Injustice shewed to their Country-men: And what evil more might have ensued, how many unconcerned Innocent Persons have smarted for it, no man knows. But this I know, That even these two

Gentlemen, however they may have seemed mean and despicable here, oppressed as they were, and persecuted in a strange Country, and put to a vast Charge and Expence, have yet Friends and Kindred in their own Country, who have courage enough to resent, and very likely it is that they would have resented such an Injury done to their Kinsmen here, and would have revenged it upon the next of the *English* whom they had found in *France*; And as one Mischiefe brings on another, who can tell but it might have brought on a National Quarrel at last? But God be thanked, there is now no Cause to apprehend these ill Consequences; Justice hath prevailed, Innocency hath found Protection, and all Machinations and Contrivances against both Justice and Innocency, have been defeated, and the Parties wronged have received some Reparation for the Injuries, which were then offered unto them.

For those Gentlemen have since brought their Action against the Butchers for their Unjust and Malicious Prosecution of them, and have recovered Four Hundred Pounds Damages in the *Court of Common-Pleas* before the Lord Chief-Justice *Vaughan*: And I have made my Complaint to the House of Peers of the Lord Chief-Justice *Keeling* his (as I thought) unsitting Expressions and Carriage in relation to me, particularly for laying to my Charge a *foule Contrivance* in the carriage of this business, (as I then understood it, and I do believe all that heard him when those words were uttered by him; but he hath since denied that he meant it of me, so I am satisfied:) And their Lordships have called him before them, and after hearing us both, have adjudged him to make me a Satisfaction, (which he hath accordingly made) as is expressed in their Order of Friday the 10th of *March* 1670, entred upon Record in their Journal-Book, with which I shall conclude.

The Record is as followeth:

Die Veneris, decimo Martii, 1670.

THis day the Lord Holles produced several Witnesses to be examined concerning his Complaint (in his Petition) of several Indignities put upon him by the Lord Chief-Justice of the Court of Kings-Bench, at the Tryal of some French-Gentlemen in the said Court of Kings-Bench, who were there falsely accused of a Robbery by four Butchers in Easter-Term last: After the bearing of which Witnesses, the Lord Chief-Justice made his defence, and denied, that he intended any thing against the Lord Holles, when he spake those words at the said Tryal, [That it was a foule Contrivance, &c.] as in the Petition is set forth: To which Defence the Lord Holles made a short Reply, and then voluntarily withdrew himself, and the Lord-Chief-Justice withdrew himself, also. Upon which the House took the whole matter into serious consideration, and ordered, That the Lord Chief-Justice should be called to his place as a Judge, and openly (in the presence of the Lord Holles) the Lord-Keeper should let him know, That this House is not satisfied with his carriage towards the Lord Holles in this business, and therefore hath Ordered, that he should make this Acknowledgment, which is to be read by the Clerk, as followeth, That he did not mean it of the Lord Holles when he spake those words, [That it was a foul Contrivance] and that he is sorry that by his behaviour or expressions he gave any occasion to interpret those words otherwise; and asks the Pardon of this House, and of the Lord Holles.

Then the Lord Chief-Justice of the Court of King's-Bench was called to his place (the Lord Holles being also present) the Lord-Keeper performed the directions of the House, and the Lord Chief-Justice read the Acknowledgment abovesaid, onely changing the style into the first person.

John Browne, Cleric. Parliamentorum.

And this being the true state of the whole Business, I do appeal to all Mankind to judge, if there was any colour of Truth in that Accusation of the French-Gentlemen by these Butchers, if in the least degree they were deserving such a Prosecution, and much less the thing aimed at by that Prosecution, the taking away of their Lives; And if I, by endeavouring (as I did) their Assistance and Preservation, deserved any blame either for the Matter or Manner of it.

FINIS.

